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**TIMOTHY SHERIDAN
7927 ROANOKE
PHILADELPHIA PA 17118**

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JUL 01 2008

In re Application of :
Sheridan, Timothy B. :
Application No. 09/783,811 :
Filed: February 15, 2001 :
Title: SMOKELESS PIPE :
:

OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed March 27, 2008, to revive the above-identified application.

The petition is **GRANTED**.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3). The statement, "I was delayed the entire time by believing my lawyer's filing of a second patent which was appropriate," contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206. Inquiries concerning the issuance of a patent should be directed to the Office of Data Management.

This matter is being referred to the Office of Data Management for processing into a patent.

Liana Walsh
Petitions Examiner
Office of Petitions